IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE BILAL NAZKI
and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO.10000 of 2004

Between:
M/s. Sri Venkata Rama Traders,
Uppugundur, Prakasam District.
rep by its Proprietor,Sri Valiti Venkatewar Rao. **.....**
PETITIONER

AND

1.Commercial Tax Officer, Ongole.
2.Deputy Commissioner (CT), Nellore.
3.Additional Commissioner (CT)(L),
A.P. Hyderabad. **....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction particularly one in the nature of Writ of Mandamus granting stay of collection of the disputed tax of Rs.51,505/- pursuant to the order of the third respondent dated 08-04-2004 passed in CCT's Ref.LV(1)/803/2004 for the assessment year 1997-98 under the APGST Act pending disposal of the appeal before the Sales Tax Appellate Tribunal or to pass such other order.

For the Petitioner: MR.S.KRISHNA MURTHY, Advocate.

For the Respondents: GP FOR COMMERCIAL TAXES

The Court at the stage of admission made the following :

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ORDER: (PER SRI BN, J)

Heard learned Counsel for the parties.

The Additional Commissioner has rejected the application for stay while the application is pending before the Sales Tax Appellate Tribunal.

In the interest of justice, we direct that there shall be stay of recovery of tax if half of the liability is paid within a period of four weeks, pending appeal. Writ Petition is accordingly disposed of. No costs.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to:

1.The Commercial Tax Officer, Ongole.
2.The Deputy Commissioner (CT), Nellore.
3.The Additional Commissioner (CT)(L),
A.P. Hyderabad.
4.Two CCs to the G.P for Commercial Taxes, High Court Buildings,
Hyderabad(O.U.T)
5.Two CD copies.

LUR.